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TO RUEHC/SECSTATE WASHDC PRIORITY 6275
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INFO RUEHKK/ARAB ISRAELI COLLECTIVE
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RUEHRO/AMEMBASSY ROME 4631
RUEAIIA/CIA WASHINGTON DC
RHMCSUU/FBI WASHINGTON DC
RUEAHLA/DEPT OF HOMELAND SECURITY WASHDC
RUEPWJF/HQ BICE WASHINGTON DC
RUEPINS/HQ BICE INTEL WASHINGTON DC
RUEPICA/USCIS WASHINGTON DC
RUEPICB/USCIS FDNS WASHINGTON DC

UNCLAS SECTION 01 OF 05 JERUSALEM 001804

SIPDIS

DEPT FOR CA/FPP AND NEA/IPA
DEPT ALSO PASS TO KCC
DHS FOR USCIS FDNS AND ICE FDLPOSTS FOR FRAUD PREVENTION MANAGERS
ATHENS/ROME FOR DHS/ICE, DHS/CBP, AND DHS/CIS ATTACHES

E.O. 12958: N/A

TAGS: [KFRD](#) [CVIS](#) [CPAS](#) [CMGT](#) [ASEC](#) [ECON](#) [KWBG](#) [IS](#) [XF](#)

SUBJECT: FRAUD SUMMARY -- JERUSALEM

REF: (A) 08 Jerusalem 1954; (B) Tel Aviv 763; (C) 08 State 74840;
(D) Jerusalem 592; (E) Jerusalem 1090

11. Semiannual fraud report for Consulate General Jerusalem follows, formatted per instructions in ref C.

(A) COUNTRY CONDITIONS: Jerusalem's consular district includes Jerusalem, the West Bank and the Gaza Strip.

JERUSALEM: Jerusalem's diverse population includes Palestinian residents of East Jerusalem (Jerusalem ID holders), secular Israelis, and a disproportionate percentage of ultra-orthodox Jewish Israelis compared to "Green Line" Israel. Poverty rates are higher in Jerusalem than in the rest of Israel, and Palestinian residents are twice as likely to live in poverty as Israeli residents. High birth rates and large families among Palestinians and ultra-orthodox Israelis underlie the poverty rate. The quality of life in mostly-Israeli West Jerusalem differs markedly from mostly-Palestinian East Jerusalem, where limited access to municipal services, increasing social and economic isolation from the West Bank, home demolitions and higher unemployment foment frustration and anger.

Israel proclaimed Jerusalem as its capital in 1950 (although that step has not been recognized by the United States), and approximately half of the workforce is employed in the public sector. Tourism is another primary economic driver with more than 1,000,000 tourists visiting Jerusalem annually. The unemployment rate in Jerusalem is comparable to the rest of "Green Line" Israel (roughly nine percent), though the average wage is lower in Jerusalem. A relatively low percentage of Jerusalem's working-age population participates in the work force (10 percent less than Tel Aviv, for example). This is largely due to the high number of Jewish ultra-orthodox families, in which the men pursue religious studies full time and the women are rarely employed outside the home. For these families, government welfare is the primary source of income. The population of Jerusalem had been shrinking by a few thousand residents annually due to migration to other cities in Israel, but in the past year the population increased slightly. Jerusalem residents enjoy easy access to the Consulate General.

WEST BANK: West Bank living conditions are difficult compared to Jerusalem, with unemployment estimated at around 20 percent and roughly half of the population living below the poverty line. Most

fraud at post involves West Bank Palestinians, for whom challenging economic conditions, violence, restrictions on freedom of movement, and other negative effects of the Israeli occupation provide a motive for emigration. The West Bank also hosts Israeli settlements, with an estimated population of over 275,000 Israelis. Violence between settlers and Palestinians in the West Bank occurs on a regular basis. A significant number of these settlers are dual Israeli-American citizens.

Access to consular services is limited for Palestinian West Bank residents, who must obtain a permit from Israeli authorities to enter Jerusalem. Applying for a permit is time-consuming and permits are often denied. Even an approved permit does not guarantee passage through checkpoints, where delays and difficulties are common. Crossings from the West Bank to Israel and/or Jerusalem can be closed for extended periods, even to permit holders, due to Jewish holidays or other events. Some West Bank residents seeking consular services enter Jerusalem illegally.

GAZA: Living conditions in the Gaza Strip, one of the most densely populated areas in the world, are extremely difficult. Hamas, a USG designated terrorist organization, seized power in a violent coup in 2007 and maintains effective control of the territory. Conditions progressively deteriorated, and in December 2008 after a significant increase in rocket and mortar attacks on Israeli communities in the north-west Negev which originated from Gaza, Israel launched a major bombing campaign, followed by a military incursion, that left thousands homeless and severely damaged infrastructure. Israeli restrictions on the import from Israel of all but basic humanitarian supplies have limited reconstruction and prevent normal economic activity. Exports are almost entirely prohibited. Most Gazans live

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below the poverty line and subsist on handouts from international aid agencies. The incentive for Gazans to relocate is high. Israeli policy restricts virtually all travel in and out of Gaza, so almost no Gazans have access to consular services.

(B) NIV Fraud:

ISRAELIS: NIV fraud among Israelis is mainly committed by young adults under 30, often fresh out of the army, who travel to the United States to sell Dead Sea products in malls or to work illegally in Las Vegas (as well as elsewhere). Fake army enlistment letters, employment letters or other documents are sometimes submitted to establish ties. Post also sees occasional abuse of H1B, E and O visas.

PALESTINIANS: Among Palestinians, the majority of fraud is carried out by men under the age of 45 and women under the age of 30, in part because unemployment rates are high in this demographic. Palestinian students (F1) and tourists (B1/B2 applicants) regularly submit fake bank documents and fraudulent high school test certificates. Young single applicants submit fraudulent civil documents such as marriage certificates and birth certificates in an attempt to document false family ties. Most fake documents are easily identifiable; many are poor-quality mockups created with a scanner and PC. Referrals from post to the Palestinian police led to the arrest of a number of document vendors, and the Fraud Prevention Unit (FPU) continues to work with Palestinian police and prosecutors to stop the production of false documents.

In the past, post aggressively pursued fraud involving fake bank and civil documents. Post now only investigates applicants with sophisticated document packages that suggest the involvement of a document vendor, or have exact hits in CLASS that raise security concerns. Prioritizing has allowed post to focus on the most egregious NIV cases and complicated IV cases.

(C) IV FRAUD: Jerusalem handles all IVs for Israel, Jerusalem, the West Bank and Gaza. Most cases in which post confirmed fraud involved sham marriages and sham divorces, but post regularly sees abuse of employment and diversity visas. From March 2009 until September 2009, fraud was confirmed in 30 percent of the referred cases brought to resolution. Continued success in countering fraud results directly from dedicating more resources to investigations,

including the 2008 hiring of a Locally Engaged Staff Investigator (LESI). Since security restrictions limit West Bank travel by official Americans, the addition of an LESI to conduct field investigations and expand contacts has made a tremendous impact. Seventy-five percent of IV cases in this period with confirmed fraud involved Palestinians.

MARRIAGE FRAUD: The most common fraud trend is Palestinian men who secure a tourist visa, and then abuse the Sharia'a courts to quickly divorce and then remarry their wives (sometimes the same day). They then travel to the United States and marry an American, hiding the remarriage. They then adjust to LPR status and then eventually naturalize.

Post usually encounters and discovers this fraud at three common points: during review and investigation of IR2 stepchild cases (when the American wife is the petitioner); during NIV interviews of the Palestinian spouse (who often identifies herself as married on her NIV application); and during IR1 and IR2 applications benefiting the spouse and child after the now-petitioning husband's naturalization and divorce from his American wife.

Post has been extremely successful in countering this fraud as result of developing a cooperative relationship with the Sharia'a courts in the West Bank. Over the past year, post has sent for revocation all but one IR2 stepchild case after confirming that the father engaged in a bigamous marriage in the United States (and in the one remaining case, this fraud was evident but not confirmable).

Post has referred several cases to ICE through VO/L/A, in which the man has already naturalized, for consideration of denaturalization proceedings. These cases remain pending.

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The best place to prevent this fraud is through 214(b) refusals on the NIV line. However, many of these applicants appear otherwise well connected to their homes and families (as they have not yet engaged in the sham divorce when they seek an NIV) and thus are able to qualify for a tourist visa.

The next best place to counter this fraud is at the time the man seeks adjustment through his marriage to the American citizen. Post requests the Department encourage USCIS to seek post's assistance in verifying the validity of Sharia'a divorce certificates in any case that matches this pattern. USCIS or other agencies can contact post with the subject's name, date of birth and local identification number at jerusalemfpu@state.gov. Most West Bank and Jerusalem verifications can be completed within two weeks, to include Sharia'a court verification and Ministry of Interior family status registration.

(D) DIVERSITY VISA FRAUD: DV fraud at post typically involves fake educational certificates or questionable derivatives such as children not declared in the initial lottery entry. Most DV applicants are African refugees or Israeli immigrants from Eastern Europe. The rate of fraud is relatively low, with a handful of fraudulent cases out of the 350 or so processed each year.

(E) ACS AND U.S. PASSPORT FRAUD:

CRBA FRAUD: Jerusalem is among the highest passport and CRBA issuing posts in the world. The incentive for CRBA fraud is high, given the thousands of dollars at stake for families applying for cash benefits from the IRS, such as the earned income tax credit and child tax credit. As evidence of the US physical presence required to transmit citizenship, CRBA applicants regularly submit questionable letters from U.S. Jewish religious schools (yeshivas) and rabbis. To date, post has not identified a pattern of fraud originating from any specific yeshiva or rabbi. In all CRBA cases, evidence of U.S. physical presence is reviewed thoroughly and corroborating evidence is required when yeshiva documents are the only proof provided.

FALSE INFO ON CRBA APPLICATIONS TO CONCEAL PRIOR MARRIAGE FRAUD: Among Palestinian-Americans, there is an emerging trend of falsifying information in CRBA applications to hide prior,

successful adjustment-through-marriage fraud that eventually resulted in naturalization. Such prior fraud is not readily apparent in routine passport applications because information on prior marriages and divorces is not part of the application. Post has not devoted significant resources to tracking this trend because ICE has indicated that the agency lacks resources to pursue denaturalization, except in cases involving criminal or terrorist activity.

ACS ASSISTANCE: The FPU has acted as a liaison for the ACS unit to Palestinian security and Ministry of Interior officials on numerous occasions. In one case, FPU assisted with the emergency passport application of an abused American citizen who had previously petitioned for an IV for her husband. The husband, who had been arrested for physically and sexually assaulting his American citizen wife, and was subsequently released from prison, had possession of her U.S. passport and was threatening her. With the help of FPU and its contacts, the American was able to travel to Jerusalem to obtain a new passport and flee from her husband.

(F) ADOPTION FRAUD: None

(G) USE OF DNA TESTING: Post did not undertake any DNA testing since the last report. DNA testing cannot be conducted in Israel without a Family Court order.

(H) ASYLUM AND OTHER DHS BENEFIT FRAUD: A significant portion of asylum follow-to-join cases show indications of fraud, such as the asylee claiming extended imprisonment, torture, etc., but family members profess no knowledge of any abuse, imprisonment or extended absences of the asylee. Post identified one case where the asylum seeker in the United States was an active member of a USG-designated terrorist group in the West Bank. Post receives a handful of

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requests each month from DHS offices requesting document verification. Fraud is confirmed in a significant percentage of these cases. Additional requests from USCIS are welcome.

(I) ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME, TERRORIST TRAVEL:

ALIEN SMUGGLING AND TRAFFICKING: Post has not encountered any sophisticated trafficking rings. Some families have effectively trafficked their entire extended family to the United States through marriage fraud over a period of decades. Document vendors providing fake marriage and divorce certificates facilitate this trend.

TERRORIST TRAVEL: Marriage fraud and asylum fraud, because of their prevalence and the permanent status they confer, remain a significant vulnerability for terrorist travel to the United States.

Post regularly interviews both immigrant and non-immigrant visa applicants who are members of USG-designated terrorist organizations. Post is often able to identify these ties despite clean police records and a lack of matching CLASS hits. Other vulnerabilities are 1) the lack of access to bio-data of individuals arrested in the West Bank, and 2) inconsistencies in the length of time arrest information remains available through police records.

Press reports indicate a high volume of individuals arrested in the West Bank for terrorist activity and affiliation with terrorist groups. Due to the volume of such arrests, post has inadequate resources to track down sufficient bio-data to watchlist many individuals. Occasionally, individuals are identified after the fact. One example is an asylee in the United States who was later identified as an active member of Al Aqsa Martyrs Brigade with a long list of criminal offenses in the West Bank. FPU uses contacts on multiple levels to assist in collecting bio-data for the Visa VIPER panel.

Post occasionally has applicants who confess to terrorist or criminal activity, but produce clean police certificates. Israeli police records are purged after seven to 10 years, and while security-related offenses are reportedly not purged, even these may be expunged upon request. In one case, an individual who was sentenced to 20 years in an Israeli prison for planting a bomb at an

Israeli bus station in 1979 produced a clean Israeli police certificate.

The FPU is following up on cases of visa fraud involving the falsification of documents by travel agencies. In particular, a travel agency in Ramallah was closed by the Palestinian police after FPU informed them the agency was producing fake appointment letters (stating that individuals had appointments at the Consulate General).

(J) DS CRIMINAL FRAUD INVESTIGATIONS: DS has an open investigation into a U.S.-based lawyer representing a significant portion of post's applicants engaged in marriage fraud.

(K) HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS AND CIVIL REGISTRY:

The Palestinian Authority began issuing new passports with enhanced security features and five-year validity (vice three) on March 29, 2009 (see reftel D). The previous, three-year Palestinian passports are still in use and remain valid until they expire. Passport-issuing facilities in Gaza and an unknown number of blank passports were taken over by Hamas, a USG-designated terrorist organization, on June 2, 2008. In Ref A, post recommended that the Department not recognize passports issued in Gaza after that date as valid travel documents and update the reciprocity schedule accordingly.

(L) COOPERATION WITH HOST GOVERNMENT AUTHORITIES: Post receives significant cooperation from Palestinian Authority officials, particularly civil police, prosecutors, Ministry of Education and Ministry of Interior officials. One of the key ingredients to post's success in catching marriage fraud is the cooperation post receives from Sharia'a Court officials. Police and prosecutor contacts are also extremely helpful and are pursuing cases against a

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number of document vendors facilitating illegitimate travel to the United States. There is no contact with any government officials in Gaza, and post has limited ability to verify the validity of most documents from Gaza.

(M) AREAS OF PARTICULAR CONCERN: NO CONSEQUENCES FOR MARRIAGE FRAUD: Post has been informed by USCIS and ICE that despite the confirmation of marriage fraud, resource constraints often prevent denaturalization or deportation unless the perpetrator is involved in separate criminal or terrorist activities.

RESOURCES: The FPU works closely with and has received excellent cooperation from the Fraud Prevention Units in both Amman and Tel Aviv, and has been able to verify a number of fraudulent documents issued in Israel, Jordan and the West Bank as a result.

The FPU also receives a number of credible "poison pen" letters, often leading to the successful denial of NIV applications and revocation of IV applications. For example, in one case a local resident informed post that her husband had traveled to the United States on a B1/B2 visa, and had married an American in order to adjust status, but had never divorced her. FPU was able to confirm these facts and provide the information to USCIS and ICE for consideration of revocation of her husband's status in the United States.

The consular section constantly generates leads related to passport and visa fraud, potential terrorist travel to the United States and other countries, wanted individuals, document vendors and smuggling, and other illegal activities. These issues deserve more attention than post can currently give them, due to stretched resources. Along with the establishment of an Assistant Regional Security Officer-Investigator (ARSO-I) in Jerusalem, post has need of a second LES investigator to manage the significant investigation workload. Funding for this position will be requested in the annual MRV budget cable.

(N) STAFFING AND TRAINING: FPU assisted the U.S. Department of Treasury in training Palestinian prosecutors and police on countering money laundering and other economic crimes. FPU also

arranged a briefing for consular officers with a well-respected professor of religious studies on the cloistered and complicated ultra-orthodox Jewish community, to better understand their travel patterns and financial resources. FPU is also working with the Public Affairs Section to develop an outreach program that will educate the public to avoid visa and document facilitators. FPU needs an additional locally engaged staff employee to handle the growing fraud workload.